

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
(Boston Division)

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff,

V.

STEVEN E. NOTHERN,

Defendant.

**Civil Action No. 05-10983 (NMG)**

**JOINT MOTION FOR EXTENSION OF TIME BY DEFENDANT  
TO FILE OPPOSITION TO MOTION TO STRIKE  
AND FOR LEAVE OF PLAINTIFF TO FILE REPLY BRIEF**

Now come Plaintiff and Defendant jointly in the above entitled matter and respectfully move that (1) the time for Defendant to file his opposition to Plaintiff's *Motion to Strike the Affirmative Defense of Estoppel* be extended 14 days, from the present deadline of September 7, 2005, to September 21, 2005; and (2) Plaintiff be granted leave to file a reply brief pursuant to Local Rule 7.1(b)(3) on or before October 5, 2005. The requested deadlines will allow counsel for each side to prepare their opposition and reply brief adequately and will not result in the continuance of any hearing, conference, or trial.

The parties certify that they have conferred and agreed upon this joint motion. No memorandum of law or affidavit is submitted in support of this motion since there are no disputed issues of fact or law and the relief requested is within the discretion of the Court.

WHEREFORE, the parties jointly request the following relief:

A. Grant Defendant an extension of fourteen (14) days, until September 21, 2005, in which to file an opposition to Plaintiff's *Motion to Strike the Affirmative Defense of Estoppel*.

B. Grant Plaintiff leave to file a reply brief due on October 5, 2005.

Dated: August 29, 2005

FOR THE PLAINTIFF:

/s/ Erica Y. Williams  
Erica Y. Williams  
John J. Rossetti, Jr.  
U.S. Securities and Exchange Commissions  
100 F Street, N.E.  
Washington, D.C. 20549-4010  
Phone: (202) 551-4450  
Fax: (202) 772-9245  
[williamse@sec.gov](mailto:williamse@sec.gov)

FOR THE DEFENDANT:

/s/ Kevin B. Currid  
Nicholas C. Theodorou (BBO # 495730)  
John A. Shope, (BBO # 562056)  
Kevin B. Currid (BBO # 644413)  
Jessica V. Barnett (BBO # 650535)  
Attorneys for Steven E. Nothern  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210  
[kcurrid@foleyhoag.com](mailto:kcurrid@foleyhoag.com)  
(617) 832-1000 (Phone)  
(617) 832-7000 (Fax)